

cause of superimposed infection * * * For reducing bacteria content of air"; (on display placard) "* * * Great aid in relieving respiratory conditions." The device was misbranded in the above respect when introduced into and while in interstate commerce.

Further misbranding, Section 502 (a), the statements in the leaflets, "Sun-Kraft * * * Helps clear up skin diseases * * * Benefits cold and asthma sufferers Kills bacteria," were false and misleading since the device was not effective in the treatment of the conditions, stated and implied. The device was misbranded in this respect while held for sale after shipment in interstate commerce.

DISPOSITION: September 26, 1949. Puget Sound Appliance Sales Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling, under the supervision of the Federal Security Agency.

DRUGS FOR VETERINARY USE

2870. Misbranding of Dr. Macdonald's Vy-Tab-O-Lator for Swine (or for Beef Cattle, for Dairy Cattle, for Calves, or for Sheep), and Dr. Macdonald's Vy-Tab-O-Lator Egg Maker Mash. U. S. v. Dr. Macdonald's Vitamized Feed Co. and John R. Macdonald. Pleas of nolo contendere. Fine of \$450 against company and \$150 against individual, together with costs. (F. D. C. No. 25604. Sample Nos. 24961-K to 24966-K, incl.)

INFORMATION FILED: June 2, 1949, Northern District of Iowa, against Dr. Macdonald's Vitamized Feed Co., a corporation, Fort Dodge, Iowa, and John R. Macdonald, president of the corporation.

ALLEGED SHIPMENT: On or about March 11 and 26 and April 5, 1948, from the State of Iowa into the State of Minnesota.

PRODUCT: Analyses disclosed that *Dr. Macdonald's Vy-Tab-O-Lator for swine* consisted chiefly of limestone, charcoal, and salt, together with plant material, sulfur, copper sulfate, iron sulfate, potassium iodide, and other mineral compounds, and containing 19.3 percent of salt, 17.2 percent of calcium, 3.76 percent of phosphorus, .055 percent of iodine, and .090 milligram of niacin per ounce; that *Dr. Macdonald's Vy-Tab-O-Lator for Beef Cattle* consisted chiefly of limestone, salt, charcoal, and sulfur, together with plant material, copper sulfate, iron sulfate, potassium iodide, and other mineral compounds, and containing 20.1 percent of salt, 18.7 percent of calcium, 3.6 percent of phosphorus, and .071 percent of iodine; that *Dr. Macdonald's Vy-Tab-O-Lator for Dairy Cattle* consisted chiefly of limestone, charcoal, salt, and sulfur, together with plant material, copper sulfate, iron sulfate, potassium iodide, and other mineral compounds, and containing 20.4 percent of salt, 20.2 percent of calcium, 4.39 percent of phosphorus, .072 percent of iodine, and 4.2 percent of protein; that *Dr. Macdonald's Vy-Tab-O-Lator for Calves* consisted chiefly of limestone, salt, charcoal, and sulfur, together with plant material, copper sulfate, iron sulfate, potassium iodide, and other mineral compounds, and containing 17.8 percent of salt, 19.5 percent of calcium, 3.6 percent of phosphorus, and .07 percent of iodine; that *Dr. Macdonald's Vy-Tab-O-Lator Egg Maker Mash* consisted chiefly of limestone, salt, and charcoal, together with plant material, copper sulfate, iron sulfate, potassium iodide, and other mineral compounds, and containing 18.6 percent of salt, 19.5 percent of calcium, 2.75 percent of phosphorus, and .076 percent of iodine; and that *Dr. Macdonald's Vy-Tab-O-*

Lator for Sheep consisted chiefly of limestone, salt, charcoal, and sulfur, together with plant material, copper sulfate, iron sulfate, potassium iodide, and other mineral compounds, and containing 18.9 percent of salt, 19.3 percent of calcium, 3.30 percent of phosphorus, and .079 percent of iodine.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the articles, which labeling included accompanying circulars entitled, "Bigger Hog Profits Now Possible," "Dairymen Should Read This Today," "More Feed Dollars From Your Own Grains," "Mix Only 100 lbs. of This Famous Balancer & Conditioner To A Ton of Feed," and "Facts About The Sheep Conditioner Developed By . . . Dr. J. R. Macdonald," were false and misleading since the articles would not be efficacious for the purposes represented and suggested. The statements represented and suggested:

That *Dr. Macdonald's Vy-Tab-O-Lator for Swine* would be efficacious to stimulate glandular organs in the hog and thereby increase the efficiency of the hog's digestive processes; that it would be efficacious as a balancer and conditioner; that it would be efficacious for vigorous health and reproduction and would prevent unthrifty pigs and scours; that it would be efficacious in maintaining health in hogs, in bringing pigs back to health, and in the prevention of necro in hogs; and that it would promote better digestion and assimilation in hogs and aid the digestive system to convert valuable feed nutrients;

That *Dr. Macdonald's Vy-Tab-O-Lator for Beef Cattle*, *Dr. Macdonald's Vy-Tab-O-Lator for Dairy Cattle*, *Dr. Macdonald's Vy-Tab-O-Lator for Calves* would be efficacious to clean heifers in a few hours after they freshen; that the articles would be efficacious to stop scouring and bloating and would help improve the general health of cows; that they would aid in producing sturdy calves; that they would help reduce breeding and calving troubles; that they would keep cows eating and thus help build general health; that they would help reduce mastitis troubles; that they would increase the normal flow of intestinal and digestive juices by stimulating the glands and organs of the body; that they would keep cows "on feed," reduce livestock troubles, loss of appetite, and impactions, stiff joints, and lump jaw; that they would be efficacious to improve materially the general condition of the herd, loosen the skin of hide-bound animals, and put a new bloom on rough hair coats and make them glossy; that they would be efficacious to stimulate the glandular organs of the body, so that these organs function to the fullest capacity; that they would aid in digestion and assimilation; that they would be efficacious to stimulate all of the glands and organs to the fullest capacity, thereby producing secretions vital and necessary for efficient digestion, assimilation, and reproduction; and that they would be efficacious to produce healthier livestock;

That *Dr. Macdonald's Vy-Tab-O-Lator Egg Maker Mash* would act as a balancer and conditioner; that its use would result in healthier hens; that it would be efficacious for vigorous growth, health, and reproduction; that it would aid the chick or chicken to more thoroughly digest its food by stimulating the glandular organs of the body, so that they function to the fullest possible capacity; and that it would help reduce mortality and would increase egg production tremendously;

That *Dr. Macdonald's Vy-Tab-O-Lator for Sheep* would stimulate glandular organs in the lamb, resulting in increased digestive efficiency; that its use would result in more vigorous health for sheep; that it would act as a bal-

ancer and conditioner and would be efficacious for vigorous growth, health, and reproduction; that it would help produce stronger lambs and help reduce losses from disease; and that it would stop scours in lambs and would cut death losses due to parasites and disease to a minimum.

DISPOSITION: July 20, 1949. Pleas of nolo contendere having been entered, the court imposed a fine of \$450 against the corporation and a fine of \$150 against the individual, together with costs.

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PRODUCTS

	N. J. No.		N. J. No.
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tablets-----	2857	Lator Egg Maker Mash-----	2870
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Amytal tablets-----	2854	sules, Sawall's-----	2865
Arthritis, remedy for-----	2866	Myrel tablets-----	2857
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nembutal and, capsules-----	2853	Paba-Liv Tablets, Sawall's-----	2865
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wall's-----	2865	Rheumatism, remedy for-----	2866
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of sodium chloride and dex-		Sawall's dietary preparations-----	2865
trose in physiological solu-		Seconal sodium capsules-----	2854, 2855
tion of three chlorides (Ring-		Shokunbi's, Dr., Tree of Life	
er's solution)-----	2851	F-218-----	2867
Diethylstilbestrol tablets-----	2854	Siliform-----	2862
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ment, Sawall's-----	2865	Sulfathiazole lozenges-----	2853
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Injection preparations. <i>See</i> Par-		bi's-----	2867
enteral drugs.		20-to-1 Liver Concentrate with	
Lecithin Capsules, Sawall's-----	2865	Iron Capsules, Sawall's-----	2865
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Cattle, for Dairy Cattle, for		Vit-An-Min-----	2858
Calves, or for Sheep), and			

¹ (2856) Temporary injunction issued.

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FEDERAL SECURITY AGENCY
FOOD AND DRUG ADMINISTRATION

**NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG,
AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

2871-2890

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Federal Security Agency. Published by direction of the Federal Security Administrator.

PAUL B. DUNBAR, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., *March 13, 1950.*

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*For contamination with filth, see No. 2871; omission or, or unsatisfactory, ingredients statements, Nos. 2883, 2887; failure to bear a label containing an accurate statement of the quantity of the contents, No. 2887; cosmetic, actionable under the drug provisions of the Act, No. 2887.

**DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE
DIRECTIONS OR WARNING STATEMENTS**

2871. Adulteration and misbranding of Neo-Mineral. U. S. v. 13 Cases * * *. (and 1 other seizure action). (F. D. C. Nos. 27344, 27347. Sample Nos. 47125-K, 51550-K.)

LIBELS FILED: June 21 and 24, 1949, Northern District of Ohio.

ALLEGED SHIPMENT: On or about February 25 and May 21, 1949, by Neo-Mineral Co., Inc., from Detroit, Mich.

PRODUCT: *Neo-Mineral*. 96 3-ounce bottles at Bowling Green, Ohio, and 13 cases, each containing 36 3-ounce bottles, at Youngstown, Ohio. Examination showed that the product was a water solution of ferric sulfate and was contaminated with mold.

LABEL, IN PART: (Bottle) "Neo-Mineral. * * * Take one teaspoonful twice daily, in a full glass of water."

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in whole or in part of a filthy and decomposed substance by reason of the presence of mold.

Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use for the purposes for which it was intended. Newspaper mats entitled "Sick" and "Health News" had been supplied by the shipper and were used for advertisements appearing in the Youngstown and Bowling Green newspapers.

DISPOSITION: August 1 and 5, 1949. Default decrees of condemnation and destruction.

2872. Misbranding of Vitalic vitamin and mineral tablets and Vitalic calcium and phosphorus tablets with vitamin D. U. S. v. 20 Bottles, etc. (F. D. C. No. 27587. Sample Nos. 55239-K, 55240-K.)

LIBEL FILED: On or about July 28, 1949, Western District of Missouri.

ALLEGED SHIPMENT: On or about June 25, 1949, by Thomas Gaines, from Los Angeles, Calif.

PRODUCT: 20 bottles of *Vitalic vitamin and mineral tablets* and 9 bottles of *Vitalic calcium and phosphorus tablets with vitamin D* at Kansas City, Mo.

LABEL, IN PART: "Vitalic * * * Vitamins and Minerals Vitamins: A, C, D, E, and B-Complex Minerals: Calcium, Iron, Phosphorus 60 Tablets [or "Vitalic Calcium Phosphorus Tablets With Vitamin D Each tablet contains: Dicalcium Phosphate 12½ grs. Vitamin D . . . 250 U. S. P. Units (Irradiated Ergosterol) Contents: 100 Tablets"] * * * Manufactured For and Distributed by Thomas Gaines 458 North Edinburgh Ave., Los Angeles 36, California."